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11 Attorneys for USACM Liquidating Trust

12 **UNITED STATES BANKRUPTCY COURT**  
 13 **DISTRICT OF NEVADA**

14 In re:

15 USA COMMERCIAL MORTGAGE  
 16 COMPANY,

17 USA CAPITAL REALTY ADVISORS,  
 18 LLC,

19 USA CAPITAL DIVERSIFIED TRUST  
 20 DEED FUND, LLC,

21 USA CAPITAL FIRST TRUST DEED  
 22 FUND, LLC,<sup>1</sup>

23 USA SECURITIES, LLC,<sup>2</sup> Debtors.

24 **Affects:**

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

25 Case No. BK-S-06-10725-LBR  
 26 Case No. BK-S-06-10726-LBR  
 1 Case No. BK-S-06-10727-LBR  
 Case No. BK-S-06-10728-LBR<sup>1</sup>  
 2 Case No. BK-S-06-10729-LBR<sup>2</sup>

27 **CHAPTER 11**

28 Jointly Administered Under Case No.  
 29 BK-S-06-10725 LBR

30 **NOTICE OF HEARING REGARDING  
 31 THIRD OMNIBUS OBJECTION OF  
 32 USACM TRUST TO PROOFS OF  
 33 CLAIM BASED UPON  
 34 INVESTMENT IN THE STANDARD  
 35 PROPERTY DEVELOPMENT, LLC  
 36 LOAN; AND CERTIFICATE OF  
 37 SERVICE**

38 Date of Hearing: June 9, 2008

39 Time of Hearing: 9:30 a.m.

40 **THE USACM LIQUIDATING TRUST IS OBJECTING TO THE CLAIM**  
 41 **THAT YOU FILED. THE USACM TRUST SEEKS TO DISALLOW YOUR**  
 42 **CLAIM TO THE EXTENT IT IS BASED UPON AN INVESTMENT IN THE**  
 43 **STANDARD PROPERTY DEVELOPMENT, LLC LOAN BECAUSE THE USACM**

44 <sup>1</sup> This bankruptcy case was closed on October 12, 2007.

45 <sup>2</sup> This bankruptcy case was closed on December 26, 2007.



1      **TRUST CONTENDS THAT YOU HAVE BEEN PAID IN FULL FOR YOUR  
2      INVESTMENT IN THAT LOAN. THIS OBJECTION WILL NOT IMPACT  
3      YOUR CLAIM TO THE EXTENT IT IS BASED UPON AN INVESTMENT IN A  
4      DIFFERENT LOAN.**

5      **PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY  
6      COURT TO DISCUSS THE MERITS OF YOUR CLAIM. QUESTIONS  
7      REGARDING THE AMOUNT OF A CLAIM OR THE FILING OF A CLAIM  
8      SHOULD BE DIRECTED TO BRANT FYLLING OF SIERRA CONSULTING  
9      GROUP, LLC ((602) 424-7009) OR THE UNDERSIGNED COUNSEL.**

10     **NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust has filed its  
11    Third Omnibus Objection to Proofs of Claim Based Upon Investment in the Standard  
12    Property Development, LLC Loan (the "Objection"). Your Proof of Claim number and  
13    other information regarding your claim is provided in **Exhibit A**, attached. The USACM  
14    Liquidating Trust has requested that this Court enter an order, pursuant to Bankruptcy  
15    Code § 502 and Bankruptcy Rule 3007, disallowing your Proof of Claim to the extent it is  
16    based upon an investment in the Standard Property Development, LLC Loan. The  
17    Objection will not impact your Claim to the extent it is based upon an investment in a  
18    different loan.

19     **NOTICE IS FURTHER GIVEN** that the hearing on the Objection will be held  
20    before the Honorable Linda B. Riegle, United States Bankruptcy Judge, in the Foley  
21    Federal Building, 300 Las Vegas Boulevard South, Courtroom 1, Las Vegas, Nevada, on  
22    **June 9, 2008, at the hour of 9:30 a.m.**

23     **NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON JUNE 9,  
24    2008, WILL BE HELD FOR THE PURPOSE OF STATUS CHECKS AND  
25    SCHEDULING EVIDENTIARY HEARINGS ONLY. NO ARGUMENTS WILL BE  
26    HEARD ON THAT DATE.**

**NOTICE IS FURTHER GIVEN** that any response to the Objection must be filed by June 2, 2008 pursuant to Local Rule 3007(b), which states:

If an objection to a claim is opposed, a written response must be filed and served on the objecting party at least 5 business days before the scheduled hearing. A response is deemed sufficient if it states that written documentation in support of the proof of claim has already been provided to the objecting party and that the documentation will be provided at any evidentiary hearing or trial on the matter.

If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with the Court. You *must* also serve your written response on the person who sent you this notice.

If you do not file a written response with the Court, or if you do not serve your written response on the person who sent you this notice, then:

- The Court may *refuse to allow you to speak* at the scheduled hearing; and
- The Court may *rule against you* and sustain the objection without formally calling the matter at the hearing.

Dated: April 29, 2008.

## LEWIS AND ROCA LLP

By /s/ Rob Charles (#6593)  
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*Attorneys for the USACM Liquidating Trust*

Copy of the foregoing mailed by first class postage prepaid U.S. Mail on April 29, 2008 to:

Parties listed on Exhibit A attached.

s/Renee L. Creswell  
Renee L. Creswell  
Lewis and Roca LLP